

Notice of Allowability

Application No.

09/609,149

Examiner

John M Winter

Applicant(s)

LAPSTUN ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the paper filed on September 23, 2004.
2. ☒ The allowed claim(s) is/are 1-20, ~~23~~ 43, 46, 47 and 49-52.
3. ☒ The drawings filed on 30 June 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Status

Claims 1-20, 23-43, 46, 47 and 49-52 remain pending,

Response to Arguments

1. The Applicant's arguments files on June 23 ,2004 have been fully considered.

As per claims 1-20, 23-43, 46, 47 and 49-52 the Examiner finds that limitations of claims 1-20, 23-43, 46, 47 and 49-52 are not disclosed in any prior art references.

Allowable Subject Matter

Claims 1-20, 23-43, 46, 47 and 49-52 are allowed over the prior art record.

The following is an examiner's statement of reasons for allowance:

The closest prior art of record Beatson et al. (US Patent 5,892,824) teaches a signature capture/verification system. "Electronic auction with autonomous intelligent agents" teaches a system for automating auctions. Breton (SE00203785A) teaches a printing device with an optical sensor.

What they fail to teach or suggest:

A. A method of enabling an auction seller to seek bids using a form containing information relating to a listing transaction the method including the steps of: printing the form, wherein coded data indicative of an identity of the form and of at least one reference point of the form are printed on the form substantially simultaneously with and in addition to printing of the information relating to the listing transaction; identifying, in the computer system and from the indicating data at least one parameter relating to the listing transaction.

This distinct feature renders claims 1, 4 and 5 allowable.
Claims 2-3, and 6-14 dependant upon claims 1, 4 and 5 respectively and have all of the limitations of claims 1,4 and 5 respectively, and are allowable for the same reasons.

B. A system for enabling an auction seller to seek bids using a form containing information relating to a listing transaction the system including:
a printer adapted to print on the form substantially simultaneously both coded data indicative of an identity of the form and of at least one reference point of the form and to identify at least one parameter relating to the listing transaction the indicating

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data being indicative of the identity of the form and a position of the sensing device relative to the form, the sensing device being adapted to sense at least some of the coded data and to generate the indicating data using at least some of the sensed coded data.

This distinct feature renders claims 29, 32 and 33 allowable.

Claims 30,31, 34-43 and 45-47 dependant upon claims 29, 32 and 33 respectively and have all of the limitations of claims 29, 32 and 33 respectively, and are allowable for the same reasons.

C. A method of enabling an auction seller to seek bids using a form containing information relating to a listing transaction, the form including printing code data indicative of an identity of the form and of at least one reference point of the form, the method including the steps of printing the form on demand and on a surface of a surface-defining means and, at the same time that the form is printed, printing the coded data on the surface; and identifying, in the computer system and from the indicating data, at least one parameter relating to the listing transaction.

This distinct feature renders claim 49 allowable.

D. A method of enabling an auction seller to seek bids using a form containing information relating to a listing transaction, the form including printing code data indicative of an identity of the form and of at least one reference point of the form, the system including: a printer for printing the form on demand and on a surface or a surface-defining means and wherein the coded data is printed at the same time as the form; and a computer system adapted to receive indicating data from a sensing device adapted to identify at least one parameter relating to the listing transaction the indicating data being indicative of the identity of the form and a position of the sensing device relative to the form, the sensing device being adapted to sense at least some of the code data and to generate the indicating data using at least some of the said coded data.

This distinct feature renders claim 50 allowable.

E. A computer system for receiving data from a sensing device regarding said at least one parameter and regarding movement of the sensing device relative to the form, and for interpreting said movement of the sensing device as it relates to said at least one parameter, the sensing device when moved relative to the form, at least some of the coded data generating the data regarding said at least one parameter using at least some of the sensed coded data and generating the data regarding its own movement relative to the form, in which said at least one parameter of the listing transaction is selected from the group comprising an action parameter of the listing transaction option parameter of the listing transaction, a text parameter of the listing transaction, an authorization parameter of the listing transaction, and a picture parameter of the listing

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transaction, and in which the picture parameter is associate with a picture of an item being listed for auction.

This distinct feature renders claims 51 and 52 allowable.

Conclusion

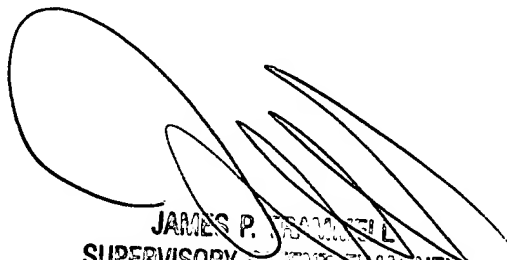
Any inquiry concerning this communication or earlier communications from the examiner should be directed to John M Winter whose telephone number is (703) 305-3971. The examiner can normally be reached on M-F 8:30-6, 1st Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P Trammell can be reached on (703)305-9768. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

JMW

November 29, 2004



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